

# HOUSE BILL No. 1369

## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 33-1-18.

**Synopsis:** Pretrial release information. Requires a clerk of a court that has jurisdiction over a person admitted to bail to: (1) prepare a record containing certain information about the person; (2) update the record on a monthly basis; and (3) post a copy of the record in the clerk's office. Requires a clerk to submit to the Indiana criminal justice institute an annual report that contains certain information about persons admitted to bail gathered by the clerk during the preceding year. Requires the Indiana criminal justice institute to make annual reports submitted to the institute available for public inspection and copying during regular office hours.

**Effective:** July 1, 1999.

**Kuzman**

January 12, 1999, read first time and referred to Committee on Courts and Criminal Code.



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First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

## HOUSE BILL No. 1369

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 33-1-18 IS ADDED TO THE INDIANA CODE AS
- 2 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 1999]:
- 4 **Chapter 18. Pretrial Release Information**
- 5 **Sec. 1. (a) A clerk of a court that has jurisdiction over a person**
- 6 **admitted to bail under IC 35-33-8-3.2 shall:**
- 7 **(1) prepare a record containing information about the person,**
- 8 **identified by case number;**
- 9 **(2) update the record on a monthly basis; and**
- 10 **(3) post a copy of the record in the clerk's office.**
- 11 **(b) The clerk shall include the following in a record prepared**
- 12 **under subsection (a):**
- 13 **(1) The name of the offense with which the person is charged.**
- 14 **(2) The dates of any court appearances scheduled in the**
- 15 **matter that the person did not attend.**
- 16 **(3) Whether the person has failed to comply with the**
- 17 **conditions of the person's bail.**



(4) Whether a warrant has been issued for the person's arrest for failure to appear in accordance with the conditions of the person's bail.

(5) The name of the judge or magistrate who authorized the person's release on bail.

Sec. 2. (a) Before July 1 of each year, a clerk shall submit to the Indiana criminal justice institute established under IC 5-2-6-3 an annual report that contains information gathered by the clerk under this chapter during the preceding year.

(b) A clerk shall include the following in an annual report described in subsection (a):

(1) The number of persons admitted to bail by the court.

(2) The number of persons described in subdivision (1):

(A) who were convicted of:

(i) the same offense; or

(ii) any felony;

within the six (6) years immediately preceding the date on which charges were filed in the matter pending during the release of the persons;

(B) who failed to attend a scheduled court appearance;

(C) for whom a warrant was issued for failure to appear in accordance with the conditions of bail; or

(D) who were arrested for any other offense while admitted to bail.

(c) The Indiana criminal justice institute shall make annual reports submitted to the institute under this section available for public inspection and copying during regular office hours.

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